

Remarks

The claims now in the application are claims 1-20 and 25. Claims 21-24 have been cancelled, Claim 25 is new.

Applicants undersigned attorney thanks the Examiner for his careful
5 proofreading of the specification and for suggesting an amendment to claim 1 which ,
upon reflection, was considered as too narrow.

In discussions the Examiner indicated that the previous amendments had not
been entered and requested that this paper include all previous amendments. This
has been done. He indicated allowability of all claims in their present form but did not
10 mention Claim 25 whose allowance is now requested.

The Examiner's attention is drawn to the first sentence of the
paragraph starting at page 16 line 19 of the specification. This language has been
inserted, substantially verbatim, in claims 1 . It is applicant's position that this
language is not vague and indefinite. It can be substantiated biologically and includes
15 and is indeed intended to include, modifications of the "pure" toxins, provided the
biological effect is as defined. The Examiner's agreement to this position is earnestly
sought.

With respect to the Examiner's objections to the specification, all direct
suggestions have been complied with. At p 4 line 10, the "0" should actually have
20 been the Greek letters "alpha" and "beta", at p 5 line 6, the
"systemically/systemically" has been removed and corrected to read "systemically",
at p 6 line 16 "honiopentamer" was a typo for "homopentamer", at p 18 line 30, the
text has been completed to read "space across the tympanic"and at p22 line 14,
"patient is of" has been deleted.

25 In the section showing the changes in the specification, deletions are generally made
by double strikeout. However where size of the deletion would make this confusing
square brackets [] are employed.

It should be noted that while each page of this section contains a numbered
page of the specification in question and the paragraphs are the same in each
30 instance, the line numbers shown on the pages in this paper MAY NOT correspond
exactly to the line numbers in the specification on file.

Claims 21-24 having been cancelled without prejudice to claiming the subject matter thereof on a continuation, continuation in part or divisional application hereof.

"Nasal congestion" has been added to claim 15 (see bottom of Example 1),
New claim 25 has been added (see Example 6).

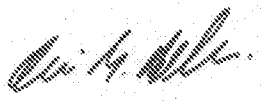
5 The remaining claims have been amended in accordance with the Examiner's kind suggestions.

An extensive search report has been received from the European Patent Office. In view thereof mention of *C. tetani* and toxins derived therefrom have been removed from the claims, in particular claims 1 and 3 and cancellation of Claim 5.

10 All references and comments thereon are being sent contemporaneously to this paper but as separate documentation

In view of the foregoing comments and amendments it is believed that the application is now in condition for allowance, and prompt passage to issue is respectfully solicited. Nevertheless, if minor issues remain, the undersigned would
15 welcome a telephone call at the number listed below, to resolve them and expedite issuance.

Respectfully submitted,



20 Omri M. Behr
Reg: 22940, Cust #:47375

25 The Behr Office
325 Pierson Avenue
Edison NJ 08837-3123
Ph: 908 202 5806
Fx: 732 494 6258
Email: bepat@prodigy.net
